

IT IS SO ORDERED.

Dated: 12:02 PM November 16 2009



Marilyn Shea-Stonum
MARILYN SHEA-STONUM *LN*
U.S. Bankruptcy Judge

200831472
(iss)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT AKRON

IN RE:

Kevin R Bechke
Tracie M Bechke

Debtors

Case No. 08-52126

Chapter 13
Judge Marilyn Shea-Stonum

AGREED ORDER OF OHIO HOUSING
FINANCE AGENCY BY AND THROUGH
U.S. BANK, N.A. ITS SERVICER
FOR RELIEF FROM STAY (PROPERTY
ADDRESS: 610 WEST DRIVE,
BRUNSWICK, OHIO 44212)

This matter came to be considered on the Motion for Relief From Stay (the "Motion") filed by Ohio Housing Finance Agency by and through U.S. Bank, N.A. its servicer ("Movant").

Movant has alleged that good cause exists for granting the Motion and that Debtors, counsel for Debtors, the Chapter 13 Trustee, and all

other necessary parties were served with this Motion and with notice of the hearing date for this Motion; and

The parties have entered into an agreement resolving the Motion, the terms of which are set forth as follows: The post-petition arrearage due as of October, 2009, is \$1,182.52, which amount consists of 16 payments (7/08 through 10/09) at \$37.97 each, and \$425.00 for attorney fees associated with the Motion and \$150.00 court costs incurred herein for filing the Motion.

In order to cure said post-petition arrearage, Creditor is permitted to file a Supplemental Proof of Claim in the amount of \$1,182.52.

All payments shall be tendered to:

U.S. Bank Home Mortgage
4801 Frederica Street
Owensboro, KY 42301

This payment address is subject to change.

Failure by the Debtors to make any payment described above shall constitute a default.

IT IS THEREFORE, ORDERED:

1. The Debtors shall maintain regular monthly post-petition payments to Movant outside the Chapter 13 plan beginning with a payment due November 1, 2009. Failure by the Debtors to make any payment

within **15** days of the date due shall constitute a default.

2. Upon the existence of a default, Movant's counsel may send Debtors and counsel for Debtors a 10-day notice of Movant's intent to file an affidavit and proposed order granting relief from stay.

3. If the default is not cured within that 10-day period, then upon the filing of an affidavit by Movant attesting to the default by the Debtors, an Order shall be entered without further hearing, terminating the stay imposed by Section 362(a) of the Bankruptcy Code

with respect to Movant, its successors and assigns. **The only ground for objection to such an Order shall be that payments were timely made.**

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SUBMITTED BY:

/s/ Steven H Patterson
Steven H. Patterson, Case
Attorney
LERNER, SAMPSON & ROTHFUSS
Ohio Supreme Court #0073452
Romi T. Fox, Attorney
Ohio Supreme Court #0037174
A Legal Professional Assoc.
P.O. Box 5480
Cincinnati, Ohio 45201-5480
(513) 241-3100 ext. 3373
(513) 354-6464 fax
nohbk@lsrlaw.com

Attorneys for Movant,
Ohio Housing Finance Agency
by and through U.S. Bank,
N.A. its servicer

APPROVED BY:

/s/ Vance P Truman
Vance P Truman, Case
Attorney
Ohio Supreme Court #0061526
Vance P. Truman
689 Lafayette Road
Medina, OH 44256
330.722.8877
medinaatty@yahoo.com

Attorney for Debtor(s),
Kevin R. Bechke
Tracie M. Bechke

/s/ Keith L Rucinski
Keith L. Rucinski, Chapter 13 Trustee
Ohio Reg. No. 0063137
Joseph A. Ferrise, Staff Attorney
Ohio Reg. No. 0084477
One Cascade Plaza, Suite 2020
Akron, OH 44308
Tel. 330.762.6335
Fax 330.762.7072
krucinski@ch13akron.com
jferrise@ch13akron.com

COPIES TO:

Kevin R. Bechke, Debtor
610 West Drive
Brunswick, Ohio 44212
ORDINARY US MAIL, POSTAGE PRE-PAID

Tracie M. Bechke, Debtor
610 West Drive
Brunswick, Ohio 44212
ORDINARY US MAIL, POSTAGE PRE-PAID

Office of the U.S. Trustee
Howard Metzenbaum U.S. Courthouse
201 Superior Avenue
Cleveland, OH 44114
(Registered address)@usdoj.gov
VIA ELECTRONIC MAIL

Steven H. Patterson, Esq., Attorney for Movant
LERNER, SAMPSON & ROTHFUSS
P.O. Box 5480
Cincinnati, Ohio 45201-5480
VIA ELECTRONIC SERVICE

Keith Rucinski, Trustee
One Cascade Plaza, Suite 2020
Akron, OH 44308
efilings@ch13akron.com
VIA ELECTRONIC MAIL

Vance P Truman, Esq., Attorney for Debtors
689 Layfayette Road
Medina, OH 44256
medinaatty@yahoo.com
VIA ELECTRONIC MAIL